

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31462 of 2019

Arising Out of PS. Case No.-1 Year-2019 Thana- NTPC District- Bhagalpur

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AJIT RAJAK, aged about 30 years old, (Male), S/o Anil Rajak R/o village-
Nandlalpur, P.S.- Kahalgaon, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Anita Kumari Singh

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 17-08-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 399, 402, 411, 414 of the Indian Penal Code, Sections 25(1-b)a/26/35 of the Arms Act and Sections 20/22 of NDPS Act.

Informant, who is a police officer, in his written complaint has alleged that on 01.01.2019 at 7 p.m., he received information that on Gate No.1 of NTPC, Kahalgaon, some miscreants have assembled to commit some grave crime and on receiving said information, he reached the place and on seeing the police personnel, miscreants started fleeing away but one person was apprehended with one motorcycle and others succeeded in fleeing away. The apprehend person was Nitish Kumar from whose possession, one loaded pistol, four



cartridges and one Chillam were recovered. He disclosed the name of the other miscreants who managed to flee away but did not name the petitioner. It has been submitted that name of the petitioner has surfaced in this case on the confessional statement made by the co-accused Shole @ Saurabh Kumar and from possession of the petitioner, one mobile and one laptop were recovered.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Petitioner has got no criminal antecedent and is in custody since 02.01.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with NDPS Case No. 01 of 2019 arising out of NTPC P.S. Case No.01 of 2019, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two



consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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